FARAD CONTINUTION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Contempt Petition No. 2 of 2006

Office Notes,Office Memorandum of Coram appearence,Court's Orders & Directions and Registrar's Order	Court or Judge's Order

Mr M Bopardikar for complainant

CORAM:V.G.PALSHIKAR AND

V.R.KINGAOKAR JJ.

DATED l0.4.2006

P.C.

. The allegations of contempt are made against the respondents, which include judicial magistrate i.e. Metropolitan Magistrate in Mumbai. All facts as alleged by the complainant occurred when one Mr. P.K Devani was the Magistrate. Thereafter Mr. Devani left the judicial service and Mr Ranpise was appointed as Metropolitan Magistrate where Mr Devani was earlier functioning.

2. The grievance is that the complaint is pending for last ll years and more and no effective order is

passed by the learned Magistrate presiding over that court. This inordinate delay caused in collaboration with the advocate is contempt of court. The fact that the courts of Metropolitan Magistrates in Mumbai are overburdened is one of the factor, of which judicial notice will have to be taken. Mere pendency of the case for several years in itself cannot be a ground for contempt. If at all disposal of the complaint was deliberately postponed it was done by Mr.Devani and not by Mr Ranpise. There is, therefore, no substance in this petition and the same is dismissed. The complainant shall be at liberty to seek expeditious disposal of the original complaint. Several remedies to achieve that object are available. Those are obviously open to the complainant, which he may, if he so desire, undertake. Notice discharged.

(V.G.Palshikar J)

(V.R.Kingaokar J)